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REMARKSStatus Summary

In this Amendment, no claims are canceled, and claims 32-34 are added. Therefore, upon entry of this amendment, claims 1-34 will be pending.

Claim Rejections - 35 U.S.C. § 102

Claims 1-11 and 14-31 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,870,905 to Pelaez, et al., hereinafter referred to as "Pelaez." This rejection is respectfully traversed.

Independent claims 1, 14, and 24 respectfully recite a method, a media gateway, and a system for providing lawful intercept of a media stream in a media gateway where a tap context is established independently from a call context and used to direct media stream communications from one termination of the call context to a tap termination. For example, independent claim 1 recites establishing a call context including first and second terminations associated with a call between first and second end users. A tap context is established between the first termination and at least one tap termination to define a one-way tap media stream from the first termination to the tap termination. The tap context shares the first termination with the call context. Claim 1 has been amended to recite that the tap context is established independently from the call context and that the tap termination and the terminations of the call context are in the media gateway. Similar amendments have been made to claims 14 and 24.

There is absolutely no disclosure, teaching, or suggestion in Pelaez of providing for lawful intercept in a media gateway where a tap context that shares a termination

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with a call context is established independently from the call context. In Pelaez, multiple contexts are described. However, the only context with a tap termination and a call termination is context **C2** in media gateway **52** illustrated in Figure 2 of Pelaez. In Figure 2, context **C2** includes terminations **62**, **64**, **66**, and **68**. Rather than establishing a tap context that shares a termination with a call context independently from the call context, Pelaez indicates that context **C2**, including both call and tap terminations, is established in a single step. For example, Pelaez states:

In step 114 the MSC 20 creates a new context **C2** to facilitate the wiretap. The MSC 20 requests a new context **C2** at logical MGW 52 creating four new IP terminations **62**, **64**, **66**, and **68**. (See column 3, lines 45-48 of Pelaez.)

From the above-quoted passage, Pelaez indicates that a single context **C2** including four terminations is created in a single step. From Figure 2 of Pelaez, it can be seen that terminations **62** and **66** are call terminations, because they are in the media stream path between the calling and called parties. Similarly, it can be seen from Figure 2 of Pelaez that terminations **64** and **68** are tap terminations because they are in the media stream path from the call to the law enforcement agency. Because the above-quoted passage from Pelaez indicates that context **C2**, which includes the call terminations and the tap terminations, is created in a single step, Pelaez cannot possibly teach independently establishing a tap context that that shares a termination with a call context in a media gateway as claimed in independent claims 1, 14, or 24.

None of the remaining contexts described in Pelaez (**C1**, **C3**, **C4**, or **C5**) are independently created tap contexts that share a termination with a call context. **C1** and **C5** are call-only contexts because they are in the media stream path for the call and do

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not have any terminations associated with the tap. **C3** and **C4** are tap-only contexts they forward to call media stream to the law enforcement agency. However, **C3** and **C4** do not include any call terminations. Terminations **70**, **72**, **74**, and **76** are tap-only terminations, because they are outside of the media stream path for the call. Thus, none of the contexts in Pelaez is a tap context that is created independently from the call context and that shares a termination with the call context as claimed.

Moreover, the solution disclosed in Pelaez would suffer the same problems discussed in the background section of Applicants' specification in that using the solution disclosed in Pelaez, it is impossible to create, modify, or release the tap context separately from the call context, because the tap terminations are part of the call context.

Accordingly, for all of the reasons stated above, it is respectfully submitted that the rejection of claims 1, 14, 24, and their dependent claims as anticipated by Pelaez should be withdrawn.

Allowable Claims

Claims 12 and 13 were indicated as allowable. Claim 12 has been rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Claim 13 depends from claim 12. Accordingly, claims 12 and 13 should now be allowed.

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New Claims

New claims 32-34 are added. Support for new claims 32-34 appears, for example, on page 10, lines 14-25 of the present specification. Claims 32-34 are believed to be patentable over Pelaez for the same reasons stated above with regard to the corresponding independent claims, and, in addition, for the elements recited in these claims.

CONCLUSION

In light of the above remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks and Amendments, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

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DEPOSIT ACCOUNT

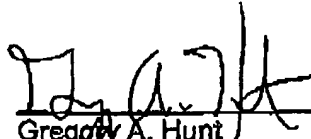
The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

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